THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION.No.19364 OF 2005

Dt:01.09.2005

Between:

Vidya Rani and others.

.. Petitioners

and

The Superintendent and others.

.. Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION.No.19364 OF 2005

ORDER:

The petitioners are employed in the 'Government Hospital for Mental Care' and they were allotted quarters within the hospital compound. All of them were served with a Circular dated 30.07.2005 requiring them to vacate the quarters by 31.08.2005. A general notice dated 24.08.2005 was also issued. In that, a reference was made to the report of the Executive Engineer, A.P. H.M.H.I.D.C., which is to the effect that the

quarters are in a dilapidated condition and they are no longer fit for residence. The petitioners challenge the various proceedings issued by the respondents requiring them to vacate the quarters.

Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents.

The petitioners were allotted the quarters within the compound of the hospital several years back. One of the contentions urged by them is that the quarters, in which they are residing, were converted from barracks, and similar structures where patients are kept, are being put to use. A further contention is urged to the effect that the buildings are not that weak as to be vacated immediately.

It is not in dispute that the structures in which the petitioners are residing are fairly old. The petitioners were required to vacate the same by issuing a Circular dated 30.07.2005. Obviously, because the petitioners doubted the assessment of the respondents about the strength of the buildings, an inspection was arranged through an Executive Engineer on 19.08.2005. The report revealed that the buildings are in dilapidated condition and they are not fit for human habitation. In that view of the matter, it cannot be said that the steps taken by the respondents requiring the petitioners to vacate the quarters are not *bona fide*. On the other hand, it is in the interest of the petitioners that they vacate the quarters without further loss of time. At the most, they may be granted some breathing time, at their risk, to avail alternative premises.

For the foregoing reasons, the writ petition is disposed of directing that the petitioners shall be entitled to stay in their respective quarters till 15.10.2005, at their own risk and thereafter, they shall be under obligation to vacate the same. It is made clear that the buildings so vacated shall not be put to any other use. There shall be no order as to costs.

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01.09.2005

Note: Issue C.C. by tomorrow

(B/o)

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